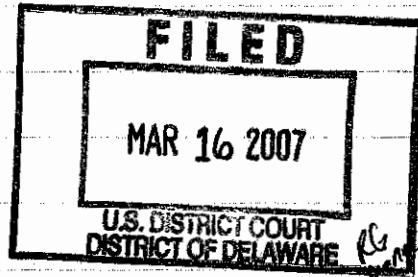


3-12-07

TO: CLERK OF THE COURT  
UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE  
844 KING ST. - LOCK BOX 18  
WILMINGTON, DE. 19801

From: William J. Hammons  
#166139  
Del. Corr. Ctr.  
1181 Paddock Rd.  
Smyrna, DE. 19971



RE: Request for Filing of Default, 05-718 (KAJ)

DEAR MR. DAILEY,

ON December 2<sup>nd</sup>, 2005, Judge Jordan ordered THE RESPONDENTS TO ANSWER THE CLAIMS SET FORTH IN my HABEAS PETITION; THEY WERE GIVEN 45 DAYS TO RESPOND. SINCE THEY COULD NOT MAKE THAT DEADLINE, JUDGE JORDAN GRANTED AN EXTENSION OF TIME AND ORDERED THAT THEY RESPOND BY FEBRUARY 10<sup>th</sup>, 2006. (SEE BOTH ORDERS ENCLOSED).

THE STATE'S RESPONSE WAS DOCKETED ON FEBRUARY 2<sup>nd</sup>, 2006 (DOCKET ITEM #17) (RULE #5 28 USC 2254).

IN CLAIM THREE OF my PETITION I ARGUED LEGAL INNOCENCE, FACTUAL INNOCENCE, AND

INSUFFICIENT EVIDENCE TO SUSTAIN A CONVICTION.

THE RESPONDENTS NEVER ADDRESSED THE LEGAL  
INNOCENCE CLAIM OR THE INSUFFICIENT EVIDENCE CLAIM  
NOR DID THEY RESPOND TO THE MEETS OF THE  
FACTUAL INNOCENCE CLAIM. (SEE RULE<sup>#</sup> 5, 28 USC 2254).

BECAUSE OF THE RESPONDENTS FAILURE TO RESPOND  
TO THESE CLAIMS, I AM OFFICIALLY REQUESTING  
THAT YOU FILE A DEFAULT ON THESE CLAIMS  
PURSUANT TO RULES 55 AND 56 OF THE  
F.R.C.P. (Fed. Rules of Civ. Procedures).

THANK YOU FOR YOUR TIME AND ATTENTION TO  
THIS MATTER.

Sincerely,

William Jay Hammons

CC: Elizabeth McFarlan

Thomas Carroll

w/Attachments : ORDER DATED 12-2-05  
ORDER DATED 1-19-06

(10)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WILLIAM JAY HAMMONS,	)
	)
Petitioner,	)
	)
v.	) Civil Action No. 05-718-KAJ
	)
	)
THOMAS L. CARROLL,	)
Warden, and M. JANE	)
BRADY, ATTORNEY GENERAL	)
FOR THE STATE OF	)
DELAWARE,	)
	)
Respondents.	)

CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
FILED

2005 DEC -2 PM 4:39

O R D E R

At Wilmington this 2<sup>nd</sup> day of December, 2005, the petition of William Jay Hammons for a Writ of Habeas Corpus having been reviewed pursuant to Rule 4, 28 U.S.C. foll. § 2254;

IT IS HEREBY ORDERED that:

1. Pursuant to Rules 3(b) and 4, 28 U.S.C. foll. § 2254, the clerk shall forthwith serve by certified mail a copy of the petition, (D.I. 1), the order dated October 21, 2005, (D.I. 6), the AEDPA election form, (D.I. 9), and this order upon: (1) the above-named Warden of the facility in which petitioner is housed; and (2) the Attorney General of the State of Delaware.

2. Within **forty-five (45) days of service** of the petition and this order, in accordance with Rule 5, 28 U.S.C. foll. § 2254, respondents shall:

a. State whether the petitioner has exhausted his state

remedies including any post-conviction remedies available to him under the statutes or procedural rules of the State and including also his right of appeal both from the judgment of conviction and from any adverse judgment or order in the post-conviction proceeding;

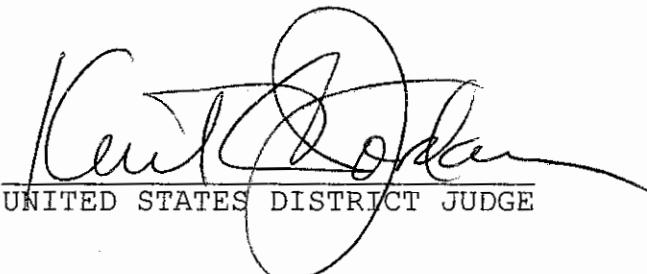
b. State whether any claim in the petition is barred by a procedural bar, non-retroactivity, or the statute of limitations;

c. Respond to the allegations of the petition;

d. Indicate what transcripts (of pretrial, trial, sentencing, and post-conviction proceedings) are available, when they can be furnished, and also what proceedings have been recorded and not transcribed;

e. Attach to the answer certified copies of such portions of the transcripts as may be material to the questions raised in the petition, as well as certified copies of the petitioner's brief(s) on appeal (direct and/or post-conviction) and of the opinion(s) of the appellate court, if any.

3. The clerk shall mail a copy of this order forthwith to the petitioner.



Karl D. Olsner  
UNITED STATES DISTRICT JUDGE

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

IN THE UNITED STATES DISTRICT COURT 206 JAN 19 PM 3:59

FOR THE DISTRICT OF DELAWARE

WILLIAM J. HAMMONS,

Petitioner,

v.

Civ. Act. No. 05-718-KAJ

THOMAS L. CARROLL,

Warden, and CARL C. DANBERG,

Attorney General for the State of Delaware,

Respondents.

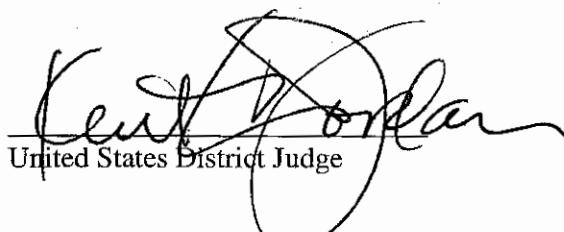
ORDER

This 19<sup>th</sup> day of Jan., 2006,

WHEREAS, respondents having requested an extension of time in which to file an answer, and

WHEREAS, it appearing to the Court that the requested extension is timely made and good cause has been shown for the extension,

IT IS HEREBY ORDERED that respondents' answer shall be filed on or before February 10, 2006.

  
United States District Judge

IM William J. Hammons  
SBI# 166139 UNIT D-E  
DELAWARE CORRECTIONAL CENTER  
11181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977

SBI# 166139 UNIT D-E

DELAWARE CORRECTIONAL CENTER

1181 BADDOWE, BOATE

1101 FADDOCK ROAD

WILMINGTTON DE 197

Clerk of The Court  
United States District Court  
844 King St.  
Wilms., N.C. 19001

*[Signature]*